



#11

Patent
Docket No: 55270US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark A. STROBEL, Christopher S. LYONS, Group Art Unit: 1773
Donald J. McCLURE, Mark D. NACHBOR
and John R. PARK

Serial No.: 09/724,615

Filed: November 28, 2000

Examiner: Monique R. Jackson

For: FLAME-TREATING PROCESS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

4-22-03

Date

Signature

PETITION FOR WITHDRAWAL FROM ISSUE
UNDER 37 C.F.R. § 1.313

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 C.F.R. 1.313, applicants hereby petition for withdrawal of the above-captioned patent application from issue even though the issue fee has been paid. Applicants paid the issue fee on March 17, 2003.

Withdrawal is requested for consideration of an accompanying request for continued examination of the application in compliance with 37 C.F.R. 1.114.

The facts leading to this petition are as follows:

An International Preliminary Examination Report (IPER) for PCT application No. PCT/US01/42663, a counterpart to the above-captioned application, was mailed to the undersigned attorney by associate attorneys in Europe on March 18, 2003. The IPER called attention to a disclosure in U.S. Patent No. 5,900,317 of silylthioethers for use in a flame-based method for surface modification. The IPER considered that disclosure as pertinent against claims such as claim 1 of the above-captioned application. Applicants

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did not recognize any such pertinence until receipt of the March 18 communication of the IPER, after the issue fee for the above-captioned application had already been paid on March 17.

In the accompanying request for continued examination applicants have proposed amendments to claims of the above-captioned application to clearly distinguish those claims from U.S. Patent No. 5,900,317.

Applicants earnestly request granting of this petition for withdrawal from issue of the above-captioned application to allow examination and consideration of the accompanying request for continued examination.

Please charge the petition fee called for in 37 C.F.R. 1.17(h), and any other necessary fee, to Deposit Account No. 13-3723. One copy of this sheet marked "Duplicate" is also enclosed.

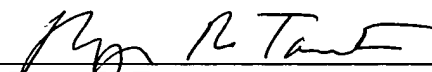
Registration Number 21,093	Telephone Number 651/733-1520
Date <i>April 18, 2003</i>	

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Respectfully submitted,

By


Roger R. Tamte